

ELSAH HISTORY

No. 101

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CELEBRATING HISTORIC ELSAH IN SPRING



Yvonne Mossman of Alton took this award-winning photo of flowering redbud and dogwood trees in front of the Stephany-Hoey House on the corner of Selma and Mill Streets in the Village. The photo, entitled "Come Home to Elsie," received one of two purchase prize awards in the 2011 Village of Elsie Museum Annual Photography Exhibit, "Elsie—Like No Other." Award winning photos from previous exhibits are currently on

display in the Elsie Museum. The Museum is open on weekends from 1 pm to 4 pm, May through October.

The theme for the 2012 exhibit is "Elsie—Architecture and Nature." Submissions are due August 5, 2012. Financial support for the 2012 exhibit comes from the Village of Elsie, Burton Art Services, greatriverroad.com, and other donors. For more details, visit elsieevents.com.

Memories of Two Elsay Men: Eddie Keller & Ed Lewitz

By George Provenzano

Last May, within four days, Elsay lost two of its most memorable, long-time citizens: Eddie Keller and Ed Lewitz. Both men were in their 90's. Together, they had a combined residency and collective memory of the Village of nearly 150 years. In addition to their longevity in Elsay, there were many other surprisingly parallel experiences in the lives of these men.

Edward, everyone called him Eddie, Walker Keller was born in Elsay on his mother's birthday, July 16, 1917. He was the youngest of five children—the fourth generation of Kellers to reside in Elsay—born to Lawrence and Emily Keller. Eddie's great grandparents, Louis and Veronika Keller, first settled in the Village in 1856.

Edward (Ed) Robert Lewitz was born on the Missouri side of the Mississippi in South St. Louis in 1916. He was the youngest of three children.

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Growing up in Elsay in the 1920s, it is easy to imagine Eddie's boyhood as being an amalgam



*Eddie Keller, first row, second from the right, in the 4<sup>th</sup> or 5<sup>th</sup> grade on the steps of the Elsay Village School.*

of Huck Finn and Tom Sawyer. The obvious enticements of the Mississippi River and woods surrounding Elsay drew the boy's attention in one direction, and at the same time, strong family ties to responsible, hard-working, and civic minded, parents and grandparents pulled him in another.

Eddie completed eight grades at the two-room Elsay Village School in 1931. He then went by car or on the dinky to Alton High School, graduating in 1935. Eddie went to Alton for high school because Jersey County did not have school buses to Elsay until the 1940s.

Ed Lewitz attended St. Louis public schools through 8th grade before enrolling in the Principia Upper School in North St. Louis for high school. After graduating in 1934, he started classes at Principia College, which at that time, was still operating in its original location in North St. Louis.

Ed came to Elsay for the first time in the summer of 1934. He was one of several Principia students who stayed in the Village over the summer, making preparations to move the college to its new campus on the bluffs. When the move occurred in winter 1935, Ed became a resident of Elsay, albeit as someone living in a college dormitory room.

In college, Ed majored in English Literature. He also loved competing in sports. Although he was not a big man, Ed played tight end on the college football team for four years. Ed graduated from Principia in 1938.

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I interviewed Genie Keller, Eddie's widow, for this story, and asked her how Eddie felt about having a new college near the Village. She recalled that Eddie adored the college faculty and students, and that the college students who came to Elsay in 1935 adopted Eddie as one of their own. They all were, after all, nearly the same age.

Ed and Eddie surely knew each other from this time in the mid-1930s. Ed, along with other Principia students, often visited the Keller Bakery to enjoy ice cream, soda pop, and carrying-on.

After college, Ed Lewitz returned to St. Louis and worked for the Ambassador and Fox Theatres. Following high school, Eddie Keller, unlike his older brothers and sisters, stayed in Elsay. He worked with his grandmother in the family-owned grocery store (20 LaSalle St.) and with his father, who had started a bakery that supplied the store and community with bread and pies.



Ed Lewitz, second from the right, with a crowd of students in the Keller Bakery: from the 1935 Principia yearbook.

In the summer of 1940, with war started in Europe, Congress passed the Selective Training and Service Act (STSA), better known as the Draft. This law set in motion the first peacetime national conscription in U.S. history. All men between 21 and 45 were required to register at local draft boards. If "selected," they were to serve for one year in the military. Shortly after Congress declared war in December 1941, the STSA was amended to extend the term of service for the duration of the war plus six months

were among the first to be called-up. Both were inducted into the U.S. Army, within days of one another in late February-early March 1941 and were at once swept into the vast pool of men, women, and material being mobilized for World War II.

When recalling this time, Ed would always insist he had not been drafted. Instead, as he would maintain, he had been "selected" in 1941 to serve in the military for one year. He would then smile and add that as it happened, just three months before his tour of duty was to end, the Japanese attacked Pearl Harbor, and, like nearly all other pre-war draftees, he was immediately placed on active duty without any specific end date.

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Eddie Keller went to Fort Leonard Wood, Missouri, for basic training. He quickly rose in rank to Technical Sergeant in the Services of Supply Branch of the Army. He remained at Fort Leonard Wood until August 1943, preparing to provide logistical support for the coming invasion of France. Because he was stationed close to Elsie, *The Telegraph* reported that Eddie made frequent visits home for his parents' birthdays, anniversaries and family reunions, occasions he always enjoyed.

Ed Lewitz first went to Camp Robinson, Arkansas, for infantry training. In January 1942, sporting a mustache and sergeant stripes, Ed shipped off to Cold Bay, Alaska and the newly built Fort Randall on the westernmost tip of the Aleutian Peninsula. Before the war, the Army had constructed a network of airfields in Alaska as part of a strategic defense initiative. The deployment of Ed's unit to this remote spot was one of the first war-time excursions by American forces outside of the U.S. (Alaska did not become a state until 1959). This mission was in anticipation of an attack the Japanese would make on the Aleutian Islands in the spring of 1942.

In August 1942, Ed Lewitz returned to the Lower-48 to attend Officers' Candidate School at Fort Benning, Georgia. He became an artillery officer assigned to the 36<sup>th</sup> Infantry Division that went to North Africa in June 1943.

By September 1943, Ed was in combat in the Italian Campaign. The landing at Salerno, Italy, placed the 36<sup>th</sup> Infantry among the first U.S. troops to set foot in occupied Europe. For the next nine months, the 36<sup>th</sup> encountered bitter fighting as it advanced northward up the Italian Peninsula, before helping to liberate Rome in June 1944.



*Eddie Keller*

As single men without dependents, Ed and Eddie were prime candidates for the draft. They



Following Italy, Ed took part in the invasion of southern France near Marseilles in August 1944. From there, the 36<sup>th</sup> fought its way through eastern France and into southern Germany in early 1945.

Toward the end of the war in Europe, Ed was promoted to captain and appointed military entertainment officer for the U.S. (French) Riviera Recreation Area in Nice. Ed had fond memories of his assignment in Nice, where he was the Army's chief agent for dozens of famous musicians and performers in popular bands, dance teams, orchestras and opera companies that entertained our troops while on rest and relaxation (R & R).

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Sergeant Eddie Keller also left the U.S. for Europe in 1943. He first went to England to get ready for the D-Day invasion of Normandy in June 1944. After the Allied landing was secure, Eddie went into France and then on to Germany where he was stationed at war's end in May 1945.

At the end of the war, Eddie came back to the U.S. and was discharged from the Army in November 1945. He returned to Elsah to take over the family grocery and bakery businesses, which his grandmother had named J.K. Keller and Son.

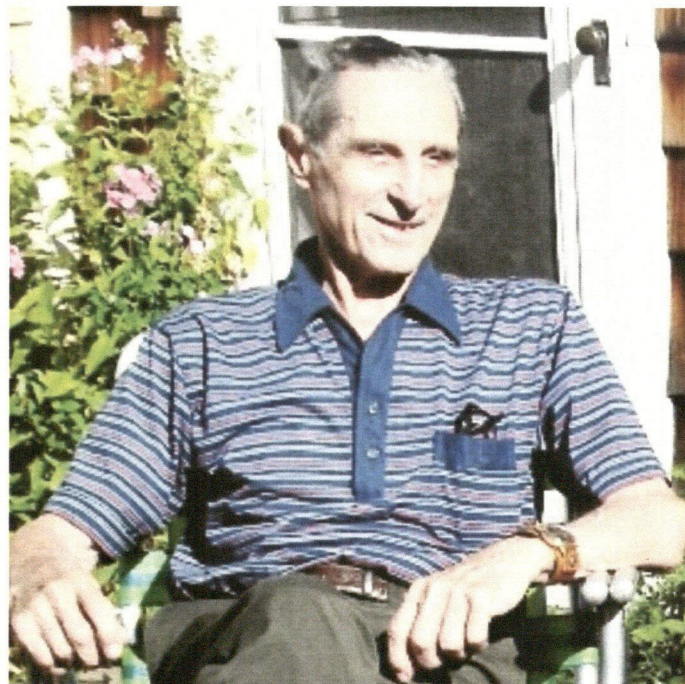
In 1961, Eddie married Eugenia (Genie) Delano, a lifelong resident of Alton. Genie and Eddie had known each other since high school. After graduating from Alton High in 1937, Genie worked with her father in his insurance agency in downtown Alton. Genie and Eddie resided in Elsah at 22 La Salle Street, in the house where Eddie was born and across the street from the grocery store. They moved from Elsah to Godfrey in 2000.

When the Great River Road was completed from Alton to Grafton in 1965, Village residents and Principia students found it easier to travel away from Elsah for shopping and entertainment. Grocery sales declined, and in 1970 Eddie closed the store.

Eddie and Genie then started an electric motor sales and distribution business, which they operated from Elsah. They also rented out several residential properties that the Kellers had accumulated in the Village over the years.

In the early 1970s, many of the Keller tenants were young, single persons, just starting careers. They had long hair and wore hippie clothes. According to Alton's Denis Crivello, who lived in several Keller rentals, Elsah was a great place for young adults to live. Life there was carefree and relaxing. Young people could enjoy their

independence and party and, perhaps, do things (see next story) they would not do at home. Although these shaggy non-conformists stood out in Elsah, Eddie and Genie were open-minded and accepted them as if they were their children.



Ed Lewitz in 2006

At war's end, Ed Lewitz stayed in the Army. He pursued a military career that brought more assignments to Europe, the South Pacific, the Pentagon, and several bases in the U.S. While in the U. S. in 1949, Ed married Marjorie Britt in Augusta, Georgia. After 25 years, Ed retired from the Army at the rank of Colonel. While in service, he was awarded a Bronze Star and the Legion of Merit.

In 1965, Ed and Margie settled in Elsah. They came here to be near Principia and have room to board horses, which Ed loved to ride.

Margie passed in 1993. The following year Ed married Jeralyn Prugh Hosmer, a long-time Elsah friend and tennis partner. They resided at 66 Mill Street.

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Eddie and Ed were devoted to Elsah. Both served as village trustees, and Eddie was mayor from 1964 to 1973. The two men and their spouses donated priceless memorabilia and made generous financial contributions to the Village Museum and Historic Elsah Foundation. Each man touched our lives most deeply with a quiet, understated, sometimes sharp and dry sense of humor, and their tender care and protection of family, friends, and country.



# Elsah Makes Legal History

by  
John Williams, JD

How did historic Elsah make legal history? Not in a case involving zoning restrictions or historic preservation, as one might think. Instead, an event here 35 years ago became the basis for a defendant's court challenge that was taken all the way to the U.S. Supreme Court. The legal question in the case involved a defendant's protections against an unlawful search and seizure under the Fourth Amendment to the U.S. Constitution.

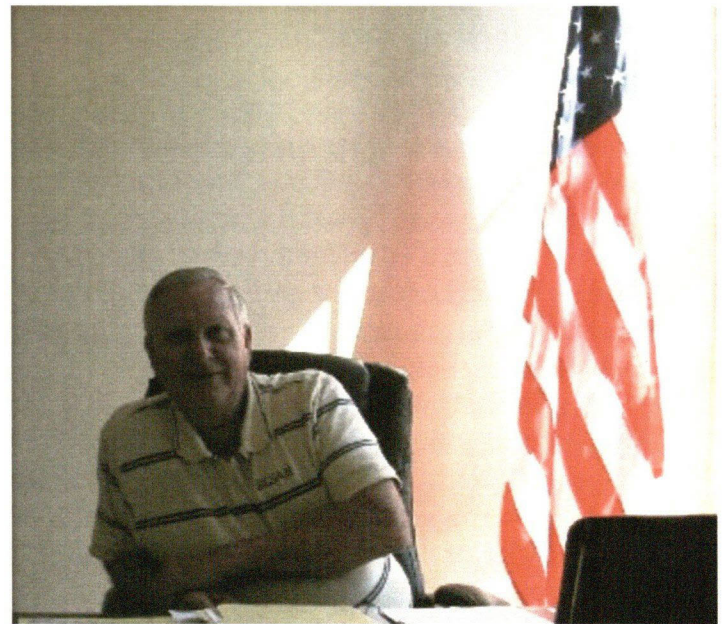
This legal journey began early in the morning on June 8, 1977, when Eugene A. Luetkemeyer was arrested and charged with unlawful possession of more than 500 grams of cannabis (marijuana), a violation of the Illinois Cannabis Control Act. Law enforcement agents found the marijuana in question the day before, inside a two storey house located just outside the Village in Elsah Township. Luetkemeyer had been renting the house since the fall of 1974. Although he moved out of the house in December 1976, Luetkemeyer continued to pay the rent and utilities.

The events that led to the discovery of the illegal drug were as follows. On June 6, 1977, Luetkemeyer met with Village resident Ed Lewitz, who was serving as agent for the absentee owner, W. R. Ratz of Chicago, to report a defective water pump in the basement of the house. Within hours, Lewitz contacted Cy Bunting, owner of a home-maintenance company in Elsah, and requested that he perform any necessary repairs on the defective pump. Lewitz gave Bunting a key to enter the house. Bunting, who also worked full-time as a maintenance engineer at Principia College, had worked in the house on several prior occasions.

Late in the afternoon of June 7, Bunting went to the house to examine the pump. As he proceeded through the house to the lower level, Bunting noticed accumulations of trash: empty beer cans scattered about, numerous ash trays, but little furniture or other personal belongs. It appeared to Bunting that although the house was no longer occupied, it had been used for parties. He became concerned over the condition of the house and the possibility of it being a fire hazard.

Unable to obtain the desired water pressure in the pump, Bunting checked the faucets in the upstairs bathroom and kitchen for possible leaks. He also looked in the closets for clothes and other signs of recent occupancy.

In one closet, Bunting saw a large trash bag that was open at the top. Inside the bag, Bunting noticed strands of a hay-like substance. Suspecting that it might be marijuana, Bunting right away took a small sample to the Jersey County Sheriff's Department for testing. The initial test determined the substance was indeed marijuana.



*Cy Bunting, Mayor of Elsah*

Bunting then wrote out an affidavit for Lee Plummer, Jersey County State's Attorney. In it, he explained his purpose in entering the unoccupied, rental house was to make plumbing repairs. He further elaborated that in this capacity he had looked about the house and had found the sack filled with marijuana. By then, it was nearly 10:00 pm when, based on Bunting's affidavit, Plummer drafted a search warrant, which Jersey County Circuit Judge Howard White immediately signed.

Shortly after 11:00 pm, a team of law enforcement agents, including Bunting, searched the house. As a life-long resident of Elsah, Bunting served in volunteer and other special standby law enforcement capacities for Elsah Village and Elsah Township. He was a special deputy sheriff for Jersey County. He was also village marshal of Elsah and a captain for the Quarry-Elsah (townships) Fire Protection District. As a member of the search team,



Bunting was now acting as duly-sworn officer of the law.

The search team found 13 plastic or paper bags filled with marijuana and several other items of property that had been reported as stolen. The pot and all items that were seized as part of the search were photographed in their original positions in the house before being taken as evidence. The team carefully transported all evidence to the Jersey County sheriff's office. The seized marijuana weighed approximately 312 pounds and had an estimated street value of over \$400,000. Samples were sent to the Illinois Bureau of Investigation (IBI) for a second testing. IBI confirmed the substance was cannabis.

At 3:30 am the next morning, Judge White was awakened and asked to issue an arrest warrant for Luetkemeyer. Around 5:00 am, Luetkemeyer had been located in Edwardsville, where he had moved. He was arrested and returned to Jersey County where he was charged with possession of cannabis in an amount of more than 500 grams, or a little more than one-pound.

Defendant Luetkemeyer and his attorney elected to have a bench (no jury) trial. Judge White presided. Prior to the trial, Luetkemeyer's attorney filed a motion to quash the search warrant and to suppress the evidence obtained during the search on the grounds that the warrant was obtained solely as the result of information provided by Bunting, who did not have a proper warrant when he made his initial exploration of the house the previous afternoon. The defense attorney argued that Bunting was acting as a law enforcement officer when he first entered the house, and therefore, he (referring to Bunting) was bound by the requirements of the Fourth Amendment to obtain a search warrant prior to any search.

Following a hearing on the motion, Judge White ruled that Bunting initially entered the house with the permission of Lewitz and the implied permission of the defendant as tenant. The judge further found that Bunting entered the house in his capacity as repairman and private citizen and not in his capacity as a law enforcement agent for the Village, the township or the county. Furthermore, the judge ruled Bunting did not have law enforcement authority in the house as it was located outside the Village in the township. Judge White denied the motion to throw out the search.

Cy Bunting, who is the current mayor of Elsau, chuckles when he recalls the hearing, which was pivotal in the state's case against Luetkemeyer. Luetkemeyer's lawyer was driven to prove that Bunting was acting as a deputy sheriff when he first entered the home to fix the water pump. In testimony before the court, the attorney asked Bunting a series of questions in rapid-fire fashion:

"Were you wearing your uniform?"

"Were you wearing your hat?"

"Were you wearing a gun?"

"Were you wearing your badge?"

To each question, Bunting, without hesitation, replied, "No."

Not willing to give up, the defense attorney tried to trick Bunting by asking, "At what point did you change hats?" Bunting recognized the question as a reference to his changing roles from plumber to deputy sheriff and calmly answered with a straight face, "I already told you that I did not wear my hat."

The defense attorney angrily shouted back at Bunting, "You know what I mean!"

Judge White, who was quite amused by this interchange, found Luetkemeyer guilty and sentenced him to two to ten years in state prison. Luetkemeyer's attorney appealed the conviction on the grounds that the circuit court judge had acted incorrectly in denying his motion to quash the search. The Fourth Illinois Appellate Court found no relevant precedents in Illinois court decisions to further define standards upon which to judge whether an individual's actions are undertaken as an officer of the government and, therefore, subject to search and seizure restrictions. This case represented an important new issue for Illinois courts to consider. For guidance, the appellate justices looked to decisions from other states.

In August 1979, after considering the legal arguments submitted by both sides, the appellate court reasoned that the test by which an individual conducting a search is to be considered an agent of the State is determined by the capacity in which the individual acted during the time in question rather than by his primary occupation. When applying this rule to the facts of the Luetkemeyer case, the appellate court concluded, "It remains undisputed that (Cy) Bunting was invited on the premises in the private capacity of a serviceman for the purpose of repairing a water pump. We find nothing in Bunting's conduct to suggest that he acted other than a private citizen." Thus, the court ruled,



"Accordingly, we conclude that Bunting was not acting as a government agent when he conducted the search and that the subsequent search warrant was properly issued and the evidence introduced at the trial was properly seized."

Years later, a retrospective story about the case in a Jerseyville newspaper summarized the appellate decision as follows: "When is a deputy sheriff not a deputy sheriff? For Jersey County

State's Attorney Lee Plummer, the answer is simple: 'A deputy sheriff is not a deputy sheriff when he is a plumber.'"

Luetkemeyer's attorney appealed the case to the U. S. Supreme Court, but in May 1980, the Supreme Court refused to hear the appeal. Luetkemeyer jumped bail and fled. He subsequently surrendered to authorities and went to prison in January 1984.

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## Historic Elsay Foundation Publications Now Available at archive.org

Thanks to Carol Stookey, Library Director (recently retired), and Edith List, Electronic Resources/Systems Librarian, at the Marshall Brooks Library at Principia College, many past publications of Historic Elsay Foundation are now available at [archive.org](http://archive.org). This internet site is operated and maintained by the not-for-profit organization, Internet Archive, and provides access to the general public to historical collections that exist in digital format.

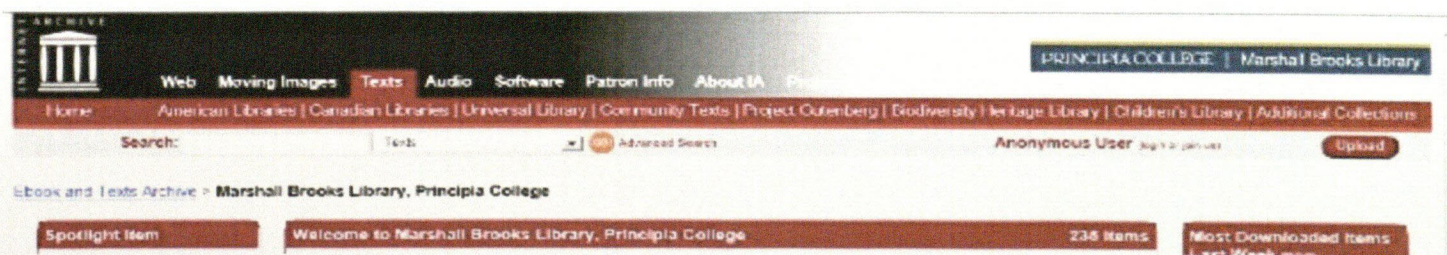
The Marshall Brooks Library is a member of the Consortium of Academic and Research Libraries in Illinois (CARLI). Edith transferred to CARLI the hard copy HEF publications for scanning. CARLI submitted the digitized materials to the Internet Archive. Following digitization, Edith has reviewed all scanned documents to ensure the readability and clarity of the images.

CARLI has provided scanning services for an ongoing project to preserve and provide electronic access to unique historic documents and other materials in Illinois. The HEF publications were selected by CARLI for three reasons: (1) they contain important historic materials that are not readily available to the public; (2) they document

the role of HEF in preserving local culture and heritage; and (3) some HEF publications contain the writings of Charles B. Hosmer, Jr., an important academic leader in the historic preservation movement. The HEF collection in the online archive currently includes:

- *Elsah History*, Nos. 1-99, of the Historic Elsay Foundation newsletter.
- *Elsah: A Historic Guidebook*, (5<sup>th</sup> Edition), by Charles B. Hosmer, Jr., and Paul O. Williams,
- *Frederic Oakes Sylvester: The Artist's Encounter with Elsay* by Paul O. Williams.
- *Illinois, Elsay Bluff Prairies: Ecological Antiques* by Marilyn Bland
- *The Great River, Master Sculptor* by Percival Robertson
- *The McNair Family of Elsay* by Paul O. Williams

In 2009, Carol and Edith worked with CARLI to scan historic publications from Chautauqua. The online archives for both HEF and Chautauqua are available at the same internet site. To access these materials, click on the link: <http://archive.org/details/principiacollege>. The top of the page will look like the image below. A box on the right side of the page indicates the number of times each publication has been downloaded. Judging by the number of "hits" thus far, there is considerable interest in HEF publications.





## Village Happenings

### ***Upcoming Hosmer-Williams Lectures at Farley's Music Hall in Elsah***

Jeffrey Vaughn, *Landscape*, Tuesday, May 22, 2012, at 7:30 P.M.

Julie Williams, *Memories of HMS Titanic: 100 Years Afterward*, Sunday, June 24, 2012 at 3:00 P.M.

Brad Winn, Director, Lewis & Clark State Museum, *Leadership Lessons from the Lewis & Clark Expedition*, Thursday, October 18, 2012 at 7:30 P.M.

John Dunphy, Local Historian, *The Abolitionist Movement in Southwestern Illinois: Before and During the Civil War*, Thursday, November 8, 2012 at 7:30 P.M.

### ***The Village warmly welcomes new residents...,***

Jill Bakken, 75 Mill Street

Larry Hammer, 18A LaSalle Street.

Bruce Jackson, 44 LaSalle Street.

Mary Ann Lazarus & Daniel Jay, 128 Cemetery Road

Patsy Lillis & Keith Myers, 47 Mill Street.

Laura & Dale Matheny, 24 Palm Street.

Jasna Meyer McCarthy & Patrick McCarthy,  
12 LaSalle Street.

Sally Menke & Werner Born, 7 Mill Street

Ann Modak, 17 Valley Road.

John Myers, 2 Maple Street

Craig Smith, 24 Mill Street

Heather Strathern, 6 Alpa Street

Shauna & Jason Sublette, 5 Mill Street

Sue Thoma & Emery Harmon, III, 27 Mill Street

Joan & Paul Wesman, 56 Mill Street

Michelle and Ken Woods, 40 Mill Street

Stephanie and Josh Mueller 111 Mill Street

### ***And "relocating" residents...***

Susan & Thomas Bruno to 1 Maybeck Place

Stephanie & John Loveseth to Picnic Grounds

Samantha DeRosa & Ryan Baird to 19 LaSalle Street

Jean Kistler to 122B Cemetery Road

### ***We bid farewell to...,***

Joy & Tim Booth, 27 Mill Street

Ellen & Stan Hanold, 12 LaSalle Street

Patty Ojile (Taetz), 44 LaSalle Street

Gerry Rock, 16 Palm Street

Lynn & Eric Schreiber, 24 Palm Street

Corey Thornton, 111 Mill Street

#### **Historic Elsah Foundation Board for 2012:**

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Editor: George Provenzano

#### **Memberships for 2012**

Patron: \$25 to \$99

Supporter: \$100 to \$249

Founders' Circle: \$250 and above

James Semple Business Associate: \$100

Please send memberships or letters to:

P.O. Box 117, Elsah, IL 62028

The purposes of Historic Elsah Foundation as stated in the Articles of Incorporation (1971) are:

"...the preservation and enhancement of the historic buildings, houses, architecture and culture of the Village of Elsah, Illinois, the historic areas, the publication of historical brochures, pamphlets, and periodicals regarding the Village, and the establishment of an educational program to inform the general public of the historical and the educational values of the Village."